

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Hui Zhang,

Plaintiff(s),

v.

Canadian Solar Inc. et al.,

Defendants.

25-CV-614 (DEH)

ORDER

DALE E. HO, United States District Judge:

On January 20, 2025, Plaintiff proceeding *pro se* filed the Complaint.¹ The alleged events giving rise to this action took place outside of this District.² Moreover, none of the parties to this lawsuit reside in this District.³ Therefore, it is not clear that Plaintiff has filed this lawsuit in the proper venue.

Normally, a district court cannot dismiss a case for improper venue without a defendant raising a venue-based objection.⁴ But when there are “extraordinary circumstances,” the district court can decide on its own to dismiss a case based on improper venue.⁵ “Extraordinary circumstances” includes when “neither the activities nor the parties alleged in th[e] complaint have any relation to th[e] district” where the case is brought.⁶ This case appears to present an

¹ ECF No. 1

² See *id.* at 5 (describing the place where the claim occurred as “199 Lishan Road, Gaoxin District, Suzhou, Jiangsu Province, China.”); *id.* (failing to mention, in statement of facts, any action taken by a defendant that occurred in this District).

³ See *id.* at 4. One Defendant is based in Canada, and the other two are based in China.

⁴ See, e.g., *Gomez v. USAA Fed. Savs. Bank*, 171 F.3d 794, 795 (2d Cir. 1999) (per curiam) (“A district court may not dismiss a case *sua sponte* for improper venue absent extraordinary circumstances.”).

⁵ *Id.*

⁶ *Stich v. Rehnquist*, 982 F.2d 88, 89 (2d Cir. 1992).

“extraordinary circumstance” justifying the Court to, on its own motion, dismiss the case for improper venue.

By March 10, 2025, Plaintiff shall file a two-page letter on ECF explaining why venue is proper in this District.

SO ORDERED.

Dated: February 20, 2025
New York, New York

A handwritten signature in black ink, appearing to read "Dale Ho", is written over a horizontal line.

DALE E. HO
United States District Judge